

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JOHN HADDOCK,

Petitioner,

vs

9:06-CV-130

GARY GREENE,

Respondent.

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APPEARANCES:

OF COUNSEL:

JOHN HADDOCK

Plaintiff, Pro Se

04-A-6516

Great Meadow Correctional Facility

Box 51

Comstock, NY 12821-0051

HON. ANDREW M. CUOMO

Attorney General of the

State of New York

Attorney for Defendants

Department of Law

120 Broadway

New York, NY 10271

MICHELLE ELAINE MAEROV, ESQ.

Asst. Attorney General

HON. DAVID N. HURD

United States District Judge

**DECISION and ORDER**

Petitioner, John Haddock, brought a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The respondent made a motion to dismiss the petition. By Report-Recommendation dated December 19, 2006, the Honorable Randolph F. Treece, United States Magistrate Judge, recommended that the motion to dismiss be granted and that the petition be dismissed without prejudice. In spite of the fact that the petitioner was granted

several extensions of time in which to file objections, there have been no objections made to the Report-Recommendation.

Accordingly, it is

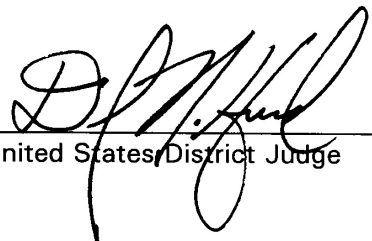
ORDERED that

1. Respondent's motion to dismiss is GRANTED; and
2. The petition for a writ of habeas corpus is DISMISSED without prejudice.

The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.

Dated: June 22, 2007  
Utica, New York.

  
United States District Judge